

**United States Senate  
Committee on Indian Affairs**

**Oversight Hearing to Examine School Safety Issues within the  
Bureau of Indian Education School System**

**Testimony of  
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**Background**

The Laguna Department of Education (LDoE) was established in 1991 to oversee Laguna tribal education programs and was a major driving force that helped create the first Pueblo contract school in New Mexico under the provision of a PL-638 grant. The LDoE serves over 1,000 students within the Department of Early Childhood, Early Intervention/Special Services, Laguna Child Care Center, early Head Start and Pre-School Head Start, the Laguna Elementary School, the Laguna Middle School, the Higher Education and Workforce Development programs.

The Laguna Elementary School presently has 273 Kindergarten through fifth grade students and was built in 1963. The Pueblo of Laguna Governor John Antonio and the Pueblo Council, the Laguna Department of Education board members, and the community of Laguna as a whole are very concerned about the structural safety of their elementary school. Due to the urgency of our concern for the safe and secure learning environments of our children and staff, the Pueblo of Laguna leadership has been working diligently with Mr. Jack Rever, Director of the Bureau of Indian Affairs Office of Facilities, Environmental and Cultural Resources Management for the past three years.

**Challenges**

We struggle with the same issues that the Bureau of Indian Education schools across the United States deal with on a regular basis: deteriorating infrastructure, dilapidated buildings and unsecured open campuses, none of which can be easily remedied with the current financial resources allocated.

For example, on November 9, 2007, The Laguna Department of Education was notified to close the Laguna Elementary School due to an assessment that revealed several cracks throughout the walls of the gymnasium and several classrooms. After an additional visual

investigation was completed, the recommendation was made that the school could reopen and that “barring an extreme event such as a significant seismic event, or a micro burst wind gust we do not believe that the buildings pose an unacceptable risk to life and safety” (Attachment A and B).

The Laguna Elementary School currently has 41 backlogged deficiencies. The system of funding deficiencies is reactive, not proactive. Structural deficiencies continue to accumulate while the allocated funding continues to fall short of being able to meet our needs. The cost of repair has continued to increase significantly each year, making our school a financial liability. The current cost to repair and/or replace current infrastructure and deficient conditions to the Laguna Elementary School is \$12,597,546.00.

The Laguna Elementary School and Laguna Head Start facilities are well beyond their life expectancies and have outdated electrical and distribution systems, a water line constructed of asbestos cement piping, and aged and deteriorated boiler pipes. Most sewer pipes are constructed of clay, which has forced periodical restroom closures while tree roots are extracted. There is limited heating and cooling systems in the cafeteria and kitchen areas. Additionally, the elementary school is operating with obsolete electrical equipment; breakers and panels can be and have been repaired, but cannot be replaced due to the entire system being obsolete (Attachment C and D).

Bureau of Indian Education school systems, such as ours, are financially limited to respond to emergency situations that may arise. An example of this occurred within Laguna in the fall of 2009, when the Department of Education experienced a severe water stoppage due to faulty infrastructure (Attachment E). The stoppage had the potential to shut our entire education department down for two weeks. In order to avert this, we moved to abbreviated school days, brought in 35 portable toilets and wash stations, as well as, clean cooking and drinking water. This emergency put a strain on our financial resources as we attempted to continue to provide educational services to our students and at the same time maintain our infrastructure.

As part of the pursuit to uphold high educational standards, we continue to make violence prevention a top priority. In collaboration with the Bureau of Indian Education, the Safe and Drug Free Schools program addresses the issues of violence with anti-bullying training, crisis and suicide prevention. A campus wide surveillance system was installed in 2008. In 2009, the Laguna Middle School opened the Elev8 School Based Counseling Center, which provides medical, dental and behavioral related student services.

### **Recommendations**

Although the Laguna Elementary School ranks among the highest in need for construction for a replacement facility, we know that the list is very long and we are concerned with the limitations and availability of Bureau of Indian Education school construction funds. Thus, there is the urgent need to continue advocating for sufficient funds.

In addition to more funds, there is room for improvement within the Bureau Facilities Management Information System. More consistent, proactive procedures addressing structural concerns in a timely fashion will allow for increased collaborative efforts.

The current funding for new school construction is simply not enough to meet the demands of the Laguna Elementary School, nor those within Native American communities throughout the United States (Attachment F and G). I respectfully urge the United States Senate Committee on Indian Affairs to advocate for increased allocations of vital facility operations and maintenance, minor improvement and repair, facility improvement and repair and new school construction funds to the Department of Interior and Bureau of Indian Affairs in order to meet the needs of all Bureau of Indian Education schools.

I hope what is provided within this testimony demonstrates a compelling and urgent need for resources because all children are entitled to have a safe and secure learning environment. With the continued support and assistance of the United States Senate Committee on Indian Affairs, we can make this much-needed initiative a reality.